



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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JUL 19 2012

Ref: 8EPR-SR

Ms. Virginia Sloan  
Office of Senator Jon Tester  
14 Third Street  
Kalispell, MT 59901

Dear Ms. Sloan:

I write in response to Senator Tester's email message of July 12, 2012, to Mike Cirian with EPA's Office in Libby transmitting the concerns of Mr. Glenn Garrison that no compensation was provided to him for the demolition of his building located at 164 Garrison Road in Troy, Montana. This building was demolished by the EPA as part of clean-up actions at the Libby Asbestos Superfund Site. I appreciate this opportunity to provide the following information in response to Mr. Garrison's concerns.

Prior to conducting a removal of Libby Amphibole asbestos (LA) containing materials from the interior of a building, the EPA prepares a design. During the development of the design, each building is evaluated independently to determine the means by which LA containing materials can be removed or encapsulated. In most cases, the materials can be removed safely without demolishing the building. In a few cases, it is found that insulation or other LA containing materials cannot be safely removed. In these cases, the building is demolished. The criteria used in determining if a demolition is warranted may include the following:

- The building is not structurally sound to allow for appropriate removal of LA containing materials.
- The building is abandoned, unoccupied or uninhabitable.
- The cost to effectively remove contamination exceeds that of a full demolition.
- The safety and health of EPA contractors would be jeopardized by entering the structure.
- The property owner had prior plans for demolition or requests a demolition of the structure.

When a decision is made to fully demolish a structure, it is the exception rather than the rule that this results in compensation to the property owner. However, certain situations may lead

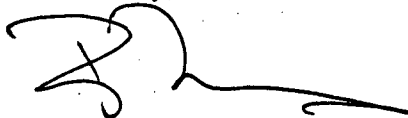
to compensation to the property owner, who then may use these resources towards the cost of rebuilding a structure. The determination to provide compensation is based primarily on the habitability and overall value of the structure at the time of proposed demolition.

The EPA consults with each property owner on the approach to addressing LA contamination within their buildings, including those cases where demolition is recommended. The EPA will proceed with the demolition only after it has received written approval from the property owner that includes explicit commitments as to whether or not compensation will be provided.

For the building Mr. Garrison owned at 164 Garrison Road in Troy, the EPA found that a removal of LA containing materials could not be conducted safely, due to concerns with the building's structural integrity. Furthermore, it was determined that the structure was in overall poor condition and that compensation was not warranted. Mr. Garrison agreed that he did not require compensation resulting from the demolition of this building. This was acknowledged by his signature on the enclosed letter signed by him prior to the demolition of this building.

We appreciate your and Senator Tester's continued interest in the EPA's clean-up actions in Libby. If we may provide anything further for your office regarding Mr. Garrison's property, please contact Sandy Fells, Regional Congressional Liaison, at 303-312-6604 or [fells.sandy@epa.gov](mailto:fells.sandy@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Bill Murray', with a long horizontal flourish extending to the right.

Bill Murray, Director  
Superfund Remedial Response Program

Enclosure